

SENATE BILL REPORT

SB 5720

As Reported By Senate Committee On:
Judiciary, February 13, 2007

Title: An act relating to broadcast of legal notices.

Brief Description: Conforming legal notice broadcast requirements to current practice.

Sponsors: Senator Marr.

Brief History:

Committee Activity: Judiciary: 2/06/07, 2/13/07 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5720 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin, Ranking Minority Member; Carrell, Hargrove, Roach and Weinstein.

Staff: Juliana Roe (786-7405)

Background: Radio or television may be used as a form of legal notice publication if a state or local official finds that the public interest would be served. Broadcasts of legal notices may only be made by personnel of the radio or television station. This form of publication is supplementary to legal publication in newspapers.

Any radio or television station broadcasting a legal notice must provide proof of publication, in the form of an affidavit, by the station's manager, assistant manager, or program director. The station must keep a copy of the text of the notice for public inspection for six months from the time of the broadcast.

Summary of Bill: Notices by political subdivisions may be made only by stations within the county of origin of the legal notice. It is no longer required that only radio or television personnel make the broadcast of legal notices. Written documentation of proof of publication of notice must be provided by the radio or television station broadcasting the notice; affidavits are not required.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Judiciary): Notices by political subdivisions are allowed to be made only by stations whose signal is received within the county of origin of the legal notice, rather than only those stations located within the county of origin.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill merely aligns technology with current practice. Under current law, legal notices must be read or recorded separately. These production costs can be very expensive. This bill would allow one single "spot" to be used. It would also free television and radio stations from the requirement to keep a copy of the script on file and removes the affidavit requirement. This has become a paperless society. In 40 years, no one has asked for a physical copy of the notice. The goal is to update the law, which is over 40 years old, to coincide with the way the radio and television stations operate today.

Persons Testifying: PRO: Senator Marr, prime sponsor; Becky Bogard, Washington State Association of Broadcasters.